

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**United States of America,**

**Criminal No. 07-393 (PAM/SRN)**

**Plaintiff,**

**v.**

**REPORT AND RECOMMENDATION**

**Margarito Zamorano-Chino,**

**Defendant.**

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Nathan P. Petterson, Office of the United States Attorney, 300 South Fourth Street, Suite 600, Minneapolis, Minnesota 55415, for Plaintiff United States of America

Andrew H. Mohring, Office of the Federal Defender, 300 South Fourth Street, Suite 107, Minneapolis, Minnesota 55415, for Defendant Margarito Zamorano-Chino

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SUSAN RICHARD NELSON, United States Magistrate Judge

The above-captioned case comes before the undersigned United States Magistrate Judge on Defendant Margarito Zamorano-Chino's Motion to Suppress Statement (Doc. No. 18). This case has been referred to the undersigned for a Report and Recommendation pursuant to 28 U.S.C. § 636 and District of Minnesota Local Rule 72.1.

In the Government's response to Defendant's motions, the Government represented that Defendant did not make any statements to law enforcement. Based on that representation and Defendant's subsequent agreement that the motion was moot, the Court recommends that the Motion to Suppress Statement be denied as moot.

**THEREFORE, IT IS HEREBY RECOMMENDED** that Defendant Margarito Zamorano-Chino's Motion to Suppress Statement (Doc. No. 18) be **DENIED AS MOOT**.

Dated: December 19, 2007

s/ Susan Richard Nelson  
SUSAN RICHARD NELSON  
United States Magistrate Judge

Pursuant to D. Minn. LR 72.2(b), any party may object to this Report and Recommendation by filing with the Clerk of Court, and serving all parties by **January 4, 2008**, a writing which specifically identifies those portions of this Report to which objections are made and the basis of those objections. Failure to comply with this procedure may operate as a forfeiture of the objecting party's right to seek review in the Court of Appeals. A party may respond to the objecting party's brief within ten days after service thereof. A judge shall make a de novo determination of those portions to which objection is made. This Report and Recommendation does not constitute an order or judgment of the District Court, and it is therefore not appealable to the Court of Appeals.